



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Ron Wilcox, Project Manager

Public Notice Date: March 8, 2006  
Expiration Date: April 8, 2006  
Reference: 200500852  
Name: Pierce County Water Programs  
Old Soldier's Home Levee Setback

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Pierce County Water Programs  
9850 - 64<sup>th</sup> Street West  
University Place, Washington  
ATTN: Mr. David Renstrom  
Telephone: (253) 798-2725

LOCATION: On the left and right banks at river mile 22 of the Puyallup River at Orting, Washington.

WORK: The project will remove a 6,000 foot long section of levee by excavating up to 55,000 cubic yards of rock and gravel, and construct a new 6,400 foot long setback levee to be located, at its farthest point, up to 950 feet landward of the existing levee. Up to 6000 cubic yards of additional riprap will be required to complete the toe and face of the setback levee. The setback levee will impact up to 2.67-acres of three wetlands. Additional levee repair/upgrade work, on the left and right banks in the project area, will involve placing up to 4,900 cubic yards of riprap.

PURPOSE: The proposed levee setback activity will return up to 67 acres of Puyallup River flood plain to pre-levee conditions to restore fish and wildlife habitat. The project purpose is also to strengthen the remaining levee to altered flow patterns.

ADDITIONAL INFORMATION: Up to 6000 feet of the existing levee will be removed concurrently with the construction of the new 6400 foot long setback levee. The fill material (river gravels and face rock) removed from the existing levee will be used to construct the setback levee. Excavation of the existing levee will include the removal of all angular face and toe rock at and below the water line at the time of construction. The setback levee will be rock armored with a maximum toe width of 50 lineal feet, along the inside of an existing meander bend. The levee will be set back approximately 950-feet landward of the existing levee at its widest point. Additional construction material will be supplied from a Pierce County gravel pit located approximately one mile from the project site.

Construction of the setback levee will impact three wetlands (cumulative impact of 2.67-acres) as follows: Wetland 1, palustrine emergent (PEM) and palustrine scrub shrub (PSS), 0.73-acres of impact; Wetland 2, PEM and PSS, 0.28-acres of impact; Wetland 3, palustrine forested (PFO), 1.66-acres of impact.

The proposed alignment of the setback levee will allow the hydrologic connection of approximately 67 acres of isolated flood plain and wetlands to the Puyallup River.

The hydrologic restoration will create side channel habitat for fish, including Puget Sound Chinook. Trees within the footprint of the setback levee will be salvaged with root wads intact and placed waterward of the new levee.

Two, 200-foot breaches will be made in the old levee below the ordinary high water mark of the river near the upstream and downstream ends to allow river flow ingress and egress into and out of the flood plain side of the channel. Flood flows are expected to overtop the remnants of the existing levee along its entire alignment.

The waterward faces of the remaining original levees, on both banks, will be fortified with additional rock armoring as needed at several strategic locations in the vicinity of the setback levee. This work will be done to stabilize the setback levee ends and to offset potential erosion threats to the remaining levees as a result of construction of the setback levee.

Armoring will be done during the period July 15 through August 31 of the project year, using equipment stationed on the tops of the levees. No in stream excavation will occur and no rock will be placed waterward of the existing rock toes. Care will be exercised to avoid damaging existing trees over four inches in diameter on the levee face.

**MITIGATION:** The nature of this project is self-mitigating, resulting in the hydrologic connection of approximately 67 acres of isolated flood plain and forested wetlands to the Puyallup River. Major functional improvement include hydrologic processes (flood flow alteration, sediment removal, nutrient and toxicant removal, erosion control and shoreline stabilization, production and export of organic matter), off-channel and side-channel habitat for ESA listed populations of Chinook salmon and bull trout, and habitat for other salmon species and wildlife.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*) listed threatened; bald eagle (*Haliaeetus leucocephalus*) listed threatened; and bull trout (*Salvelinus confluentus*) listed threatened in the state of Washington, may occur in the proposed project area.

The Corps has consulted with the NMFS and the USFWS (Services) as required under Section 7 of the ESA. The Services determined the project may affect, but not likely to adversely affect listed species. Concurrence was issued on August 3, 2004, for NMFS, and October 20, 2004, for USFWS.

Because critical habitat for Chinook salmon and Puget Sound bull trout was not designated prior to the initial ESA consultations with the Services, the Corps has re-initiated consultations for a determination of effect for critical habitat.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the designated critical habitat for Chinook salmon and Puget Sound bull trout.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately six acres of EFH for Pacific salmon in the project area.

The U.S. Army Corps of Engineers (Corps) has consulted with the National Marine Fisheries Service. NMFS has determined that the project will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. An historic properties investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a] [3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b) (1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SPD-05-01, which has been issued by the City of Orting.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to [Ronald.J.Wilcox@usace.army.mil](mailto:Ronald.J.Wilcox@usace.army.mil). Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number

Pierce County Water Programs, 200500852

Encl

Drawings (6)



# OLD SOLDIER'S HOME LEVEE SETBACK

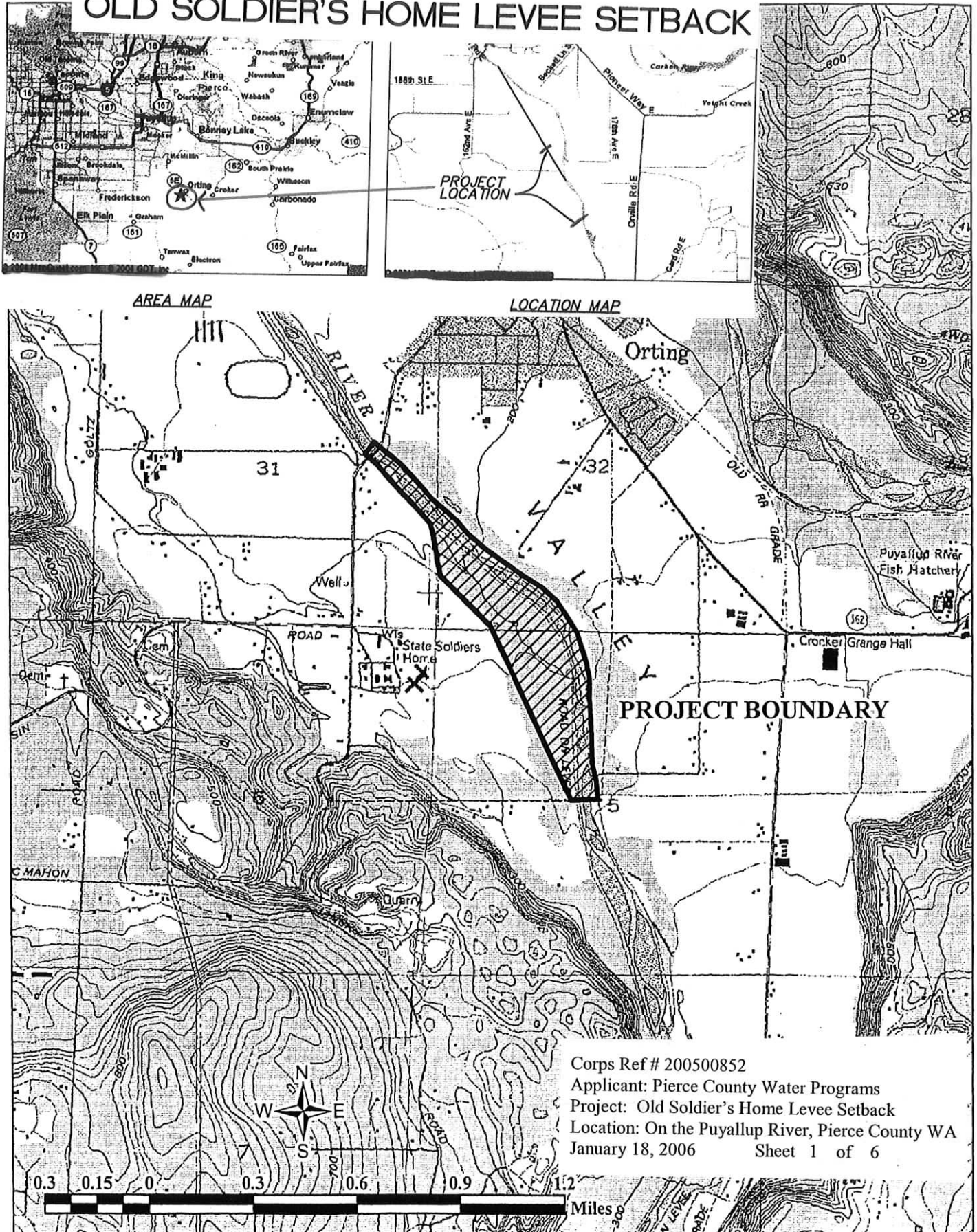
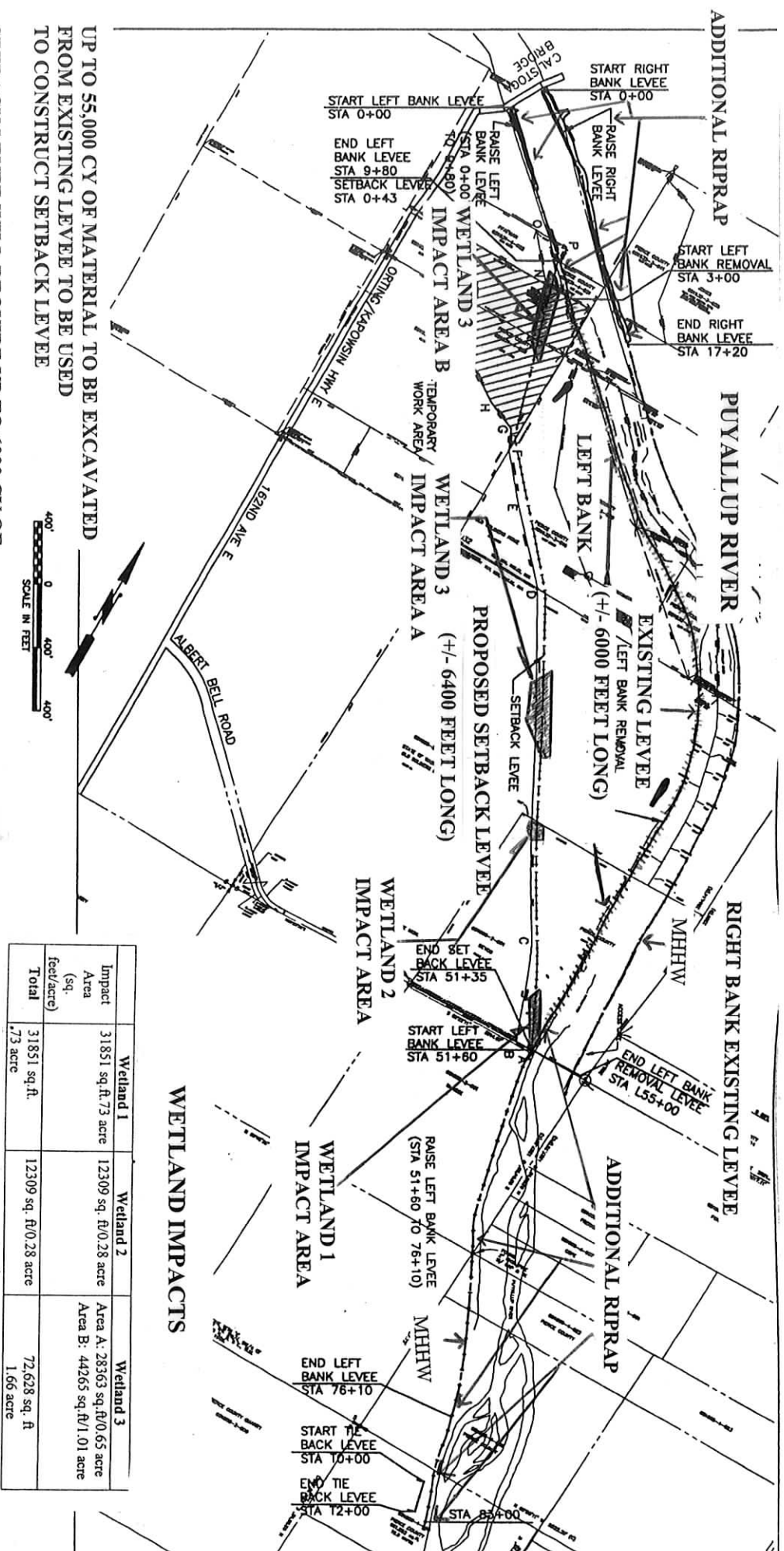


Figure 1. Topographic map showing Orting area and project location (Sec. 5, T. 18 N., R. 5 E.; Sec. 31, 32, T. 19 N., R. 5 E., W.M.; Orting 7.5 Minute Quad.)

# OVERALL SITE PLAN FOR EXISTING LEVEE EXCAVATION WETLAND IMPACT AREAS AND PLACEMENT OF ADDITIONAL ROCK RIPRAP



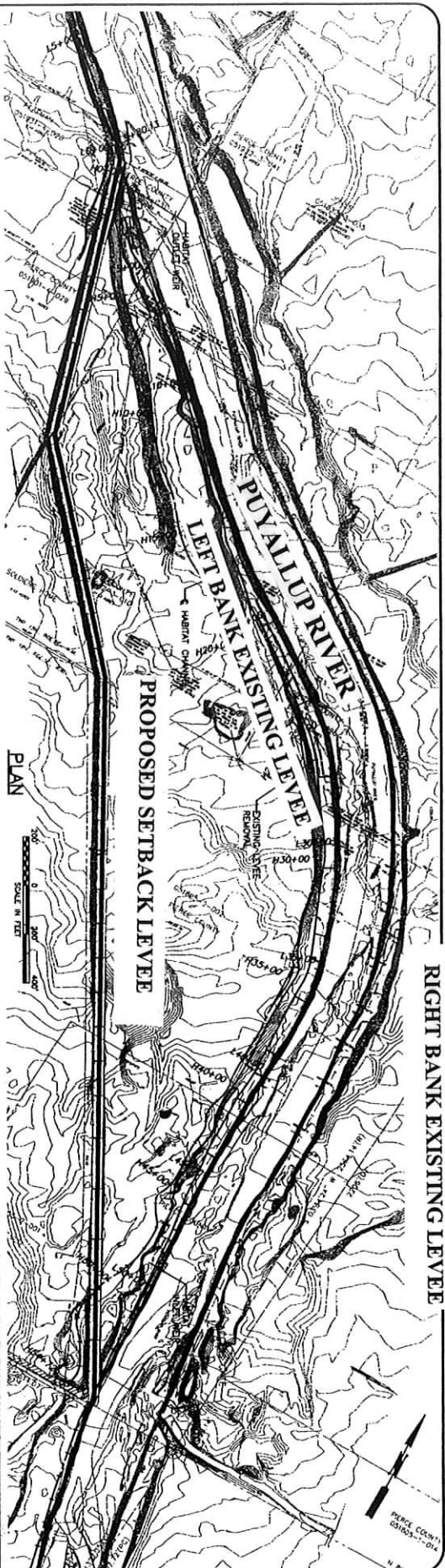
## WETLAND IMPACTS

|                             | Wetland 1             | Wetland 2               | Wetland 3  |
|-----------------------------|-----------------------|-------------------------|--|
| Impact Area (sq. feet/acre) | 31851 sq. ft. 73 acre | 12309 sq. ft. 0.28 acre | Area A: 28363 sq. ft. 0.65 acre<br>Area B: 44265 sq. ft. 1.01 acre |
| Total                       | 31851 sq. ft. 73 acre | 12309 sq. ft. 0.28 acre | 72,628 sq. ft. 1.66 acre   |

UP TO 55,000 CY OF MATERIAL TO BE EXCAVATED FROM EXISTING LEVEE TO BE USED TO CONSTRUCT SETBACK LEVEE

SETBACK LEVEE WILL REQUIRE UP TO 6000 CY OF ADDITIONAL ROCK RIPRAP FOR TOE AND FACE ARMORING

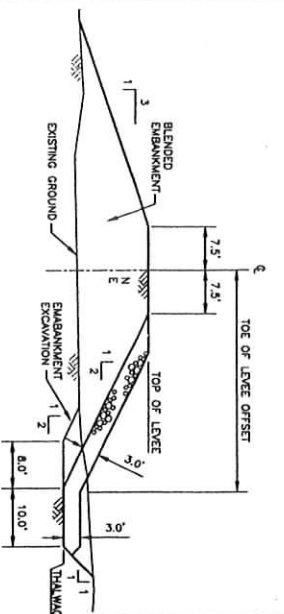
UP TO 4900 CY OF ADDITIONAL ROCK RIPRAP TO BE USED FOR ARMORING/STRENGTHENING EXISTING LEFT AND RIGHT BANKS OF LEVEE



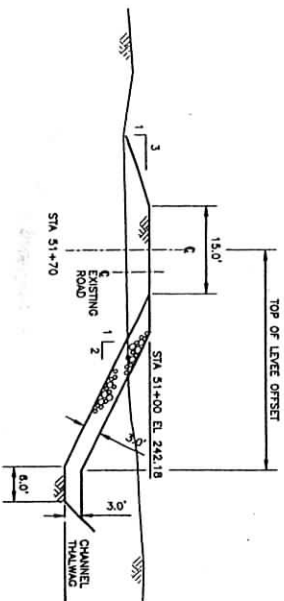
#### NOTES

1. THE EXISTING LEVEL IS TO BE REMOVED AS SHOWN IN TYPICAL SECTION A, EXCEPT WHERE LARGE TREES WILL NEED TO BE REMOVED. IN THESE AREAS THE EXISTING LEVEL MUST NOT BE REMOVED.
2. TREES TO BE SAVED WILL BE MARKED BY THE COUNTY.

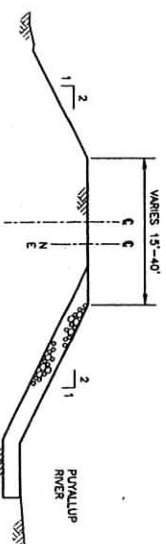
### LEVEL CROSS SECTION



TYPICAL SETBACK LEVEL



TYPICAL LEFT BANK LEVEE  
STA 51+60 TO STA 83+00



TYPICAL RIGHT BANK LEVEE SECTION  
(STA 0+00 TO 17+20)  
TYPICAL LEFT BANK LEVEE SECTION  
(STA 0+00 TO 9+80)

Corps Ref # 200500852

Applicant: Pierce County Water Programs

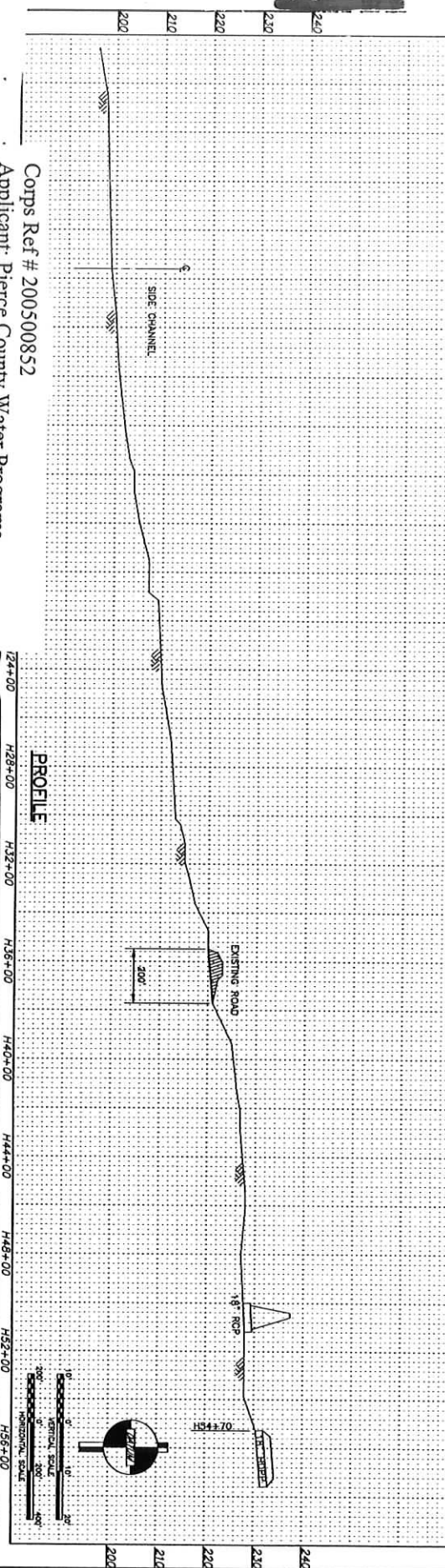
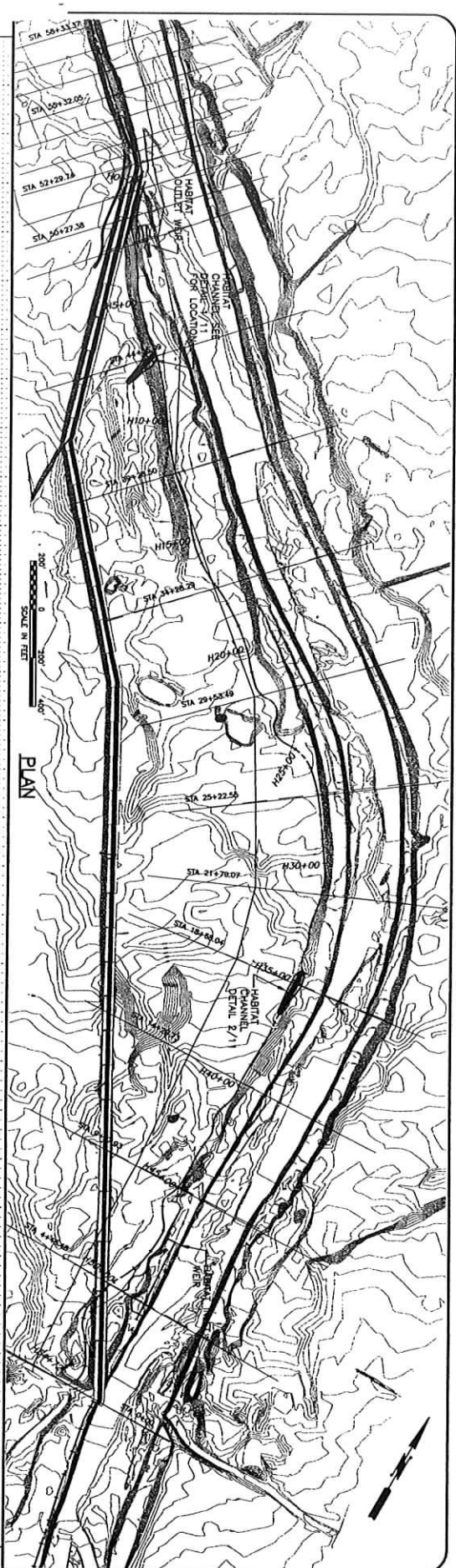
Project: Old Soldier's Home Levee Setback

Location: On the Puyallup River, Pierce County WA

January 18, 2006

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Corps Ref # 200500852

Applicant: Pierce County Water Programs

Project: Old Soldier's Home Levee Setback

Location: On the Puyallup River, Pierce County WA

January 18, 2006

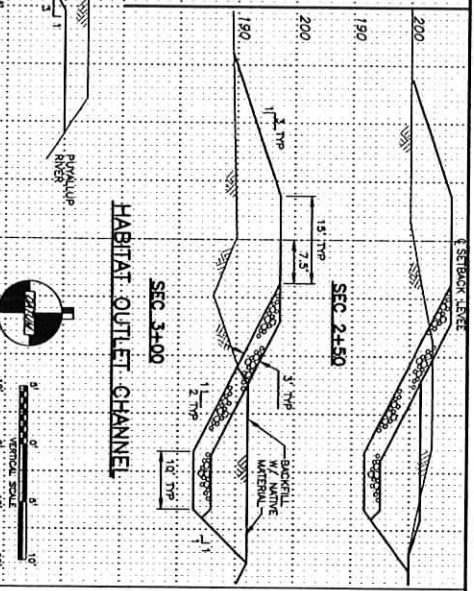
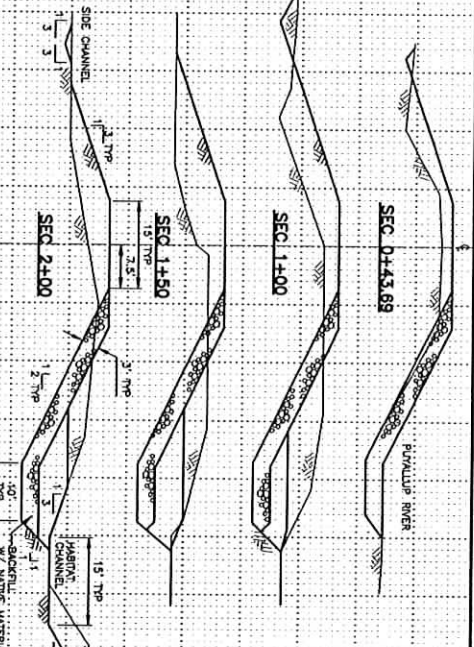
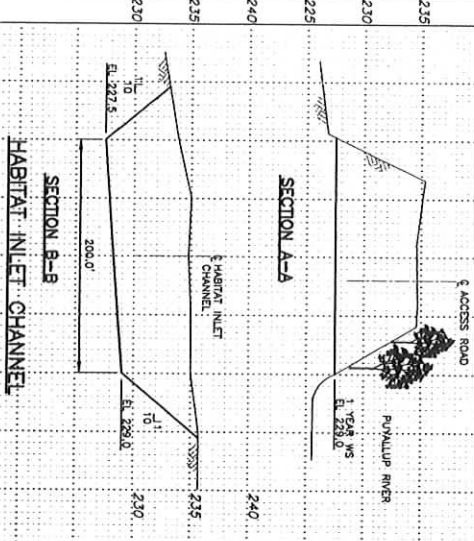
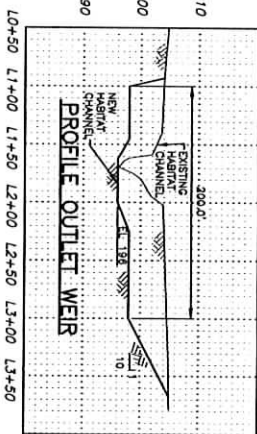
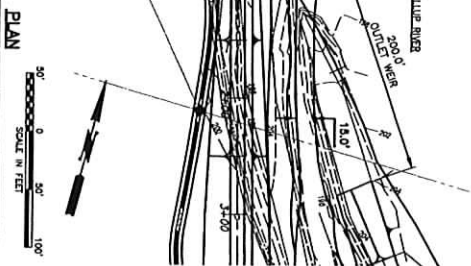
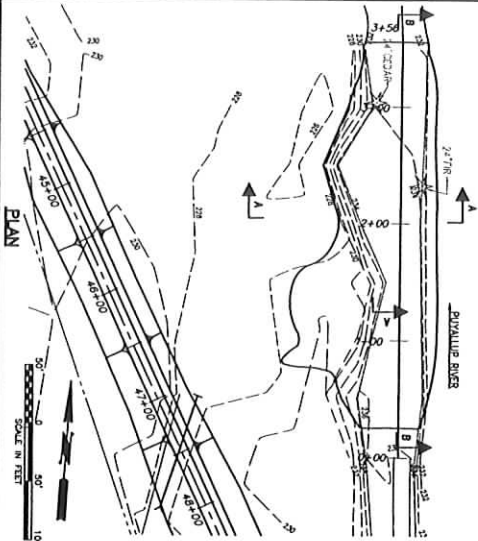
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Pierce County  
DEPARTMENT OF PUBLIC WORKS AND UTILITIES  
WATER PROGRAMS  
4000 14th STREET WEST  
UMMERS PLACE, WA 98467-1078

OLD SOLDIER'S HOME LEVEE SETBACK  
HABITAT CHANNEL IMPROVEMENTS  
PLAN AND PROFILE





Corps Ref # 200500852

Applicant: Pierce County Water Programs

Project: Old Soldier's Home Levee Setback

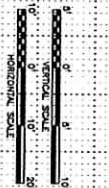
Location: On the Puyallup River, Pierce County WA

January 18, 2006

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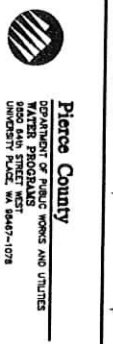
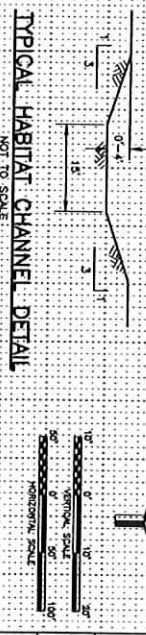
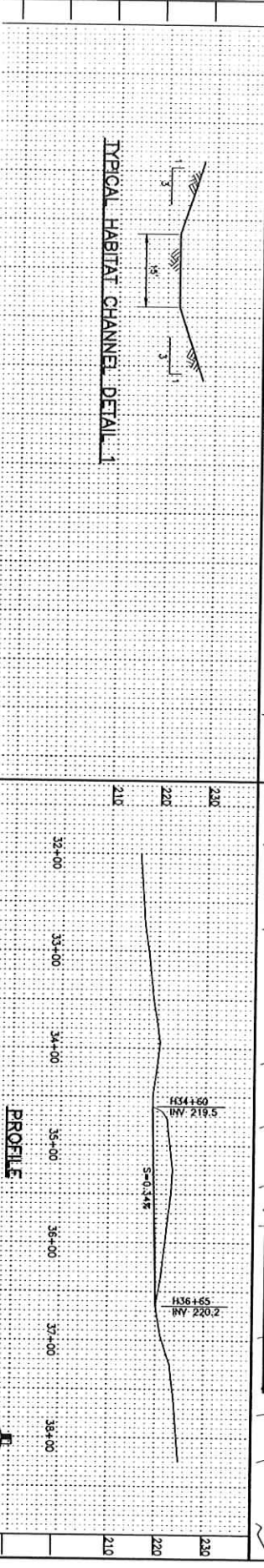
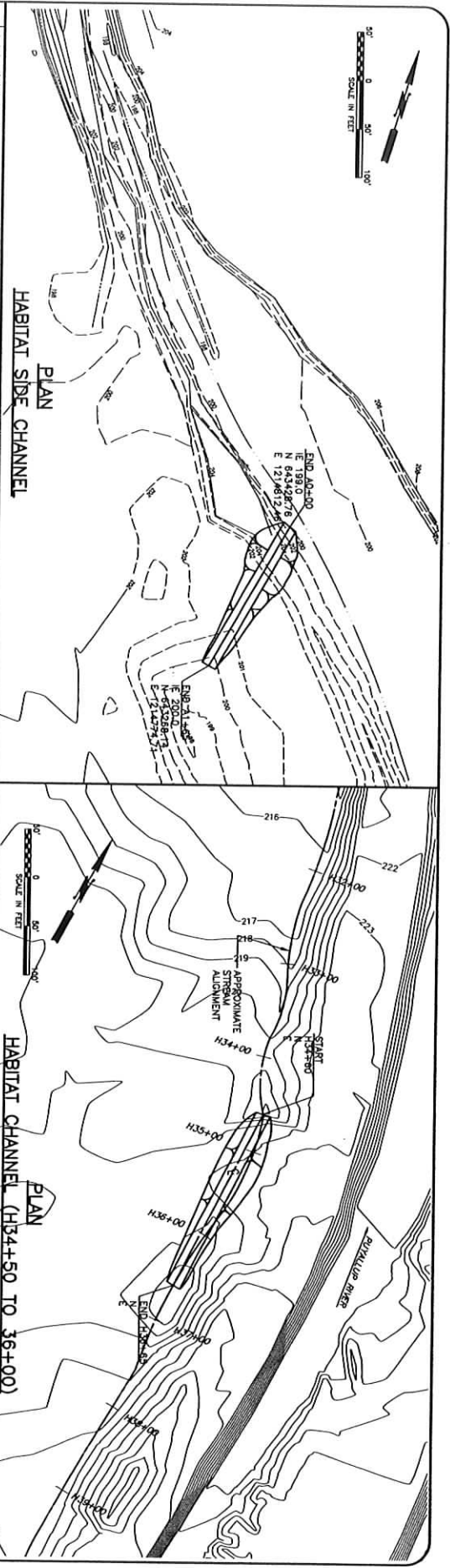


**Pierce County**  
DEPARTMENT OF PUBLIC WORKS AND UTILITIES  
WATER PROGRAMS  
6000 BAIN STREET WEST  
UNIVERSITY PLACE, WA 98403-1078



**OLD SOLDIER'S HOME LEVEE SETBACK**  
OUTLET INLET AND OUTLET CHANNEL  
PLAN AND PROFILE.

Corps Ref # 200500852  
 Applicant: Pierce County Water Programs  
 Project: Old Soldier's Home Levee Setback  
 Location: On the Puyallup River, Pierce County WA  
 January 18, 2006 Sheet 6 of 6



**OLD SOLDIER'S HOME LEVEE SETBACK**  
**HABITAT IMPROVEMENT**  
**PLAN AND SECTION**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
*P.O. Box 47600 • Olympia, Washington 98504-7600*  
*(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification  
and for  
Certification of Consistency with the  
Washington Coastal Zone Management Program

Date: March 08, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200500852 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600